

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/094,030

REMARKS

Claims 1-7 are pending in the present application. By this Amendment, independent claims 1, 6 and 7 are amended for the purposes of clarity and precision. Applicant respectfully submits that the foregoing amendments are not believed to be narrowing amendments. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Applicant thanks the Examiner for the courtesies extended to Applicant's representatives during the telephonic interview conducted on April 18, 2002, the contents of which is incorporated herein. During the telephone interview and in a facsimile sent from the Examiner to Applicant's representatives, the Examiner indicated that he would withdraw all of the currently standing rejections, pending consideration of amendments outlined in the facsimile.

Applicant thanks the Examiner for this indication, and submits that as shown in the foregoing amendments, the necessary amendments have been made for such a withdrawal of the currently standing rejections. Thus, Applicant respectfully requests withdrawal of the rejections for at least the reasons discussed during the telephone interview and provided in the facsimile from the Examiner, as well as the reasons provided below.

I. The claims are in proper condition

A. 35 U.S.C. § 112, 1st paragraph

Claims 1-7 stand rejected under 35 U.S.C. § 112, 1st paragraph due to alleged non-enablement. As noted above, the Examiner has indicated that the foregoing Amendments overcome the rejections under 35 U.S.C. § 112, 1st paragraph. Applicant thanks the Examiner for

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this indication, and respectfully submits that the claims are in proper condition, for at least the reasons provided below.

As shown in the foregoing amendments, independent claims 1, 6 and 7 have been amended to overcome the Examiner's §112, 1st paragraph rejection with respect to the predefined relationship. Further, Applicant respectfully maintains that the block diagram properly enables the claims, as discussed in In re Dossell, 115 F.3d 942, which is believed to support the assertion that labeling of blocks in a diagram is not required in the present situation.

Accordingly, Applicant respectfully submits that the rejections under 35 U.S.C. § 112, 1st paragraph are overcome for independent claims 1, 6 and 7. Dependent claims 2-5 depend from independent claims, and are allowable for at least the same reasons as discussed above with respect to independent claim 1. Thus, Applicant respectfully requests withdrawal of the §112, 1st paragraph rejections.

B. 35 U.S.C. § 112, 2nd paragraph

Claims 1-7 stand rejected under 35 U.S.C. § 112, 2nd paragraph due to alleged failure to set forth the claimed invention. As noted above, the Examiner has indicated that the foregoing Amendments overcome the Examiner's rejections under 35 U.S.C. § 112, 2nd paragraph. Applicant thanks the Examiner for withdrawal of this rejection.

As shown in the foregoing amendments, claim 1 has been amended into proper form as a method claim, thus overcoming the §112, 2nd paragraph rejection that is based on alleged lack of steps in a method claim. More specifically, with respect to the "predefined relationship" recited

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in claims 1, 6 and 7, Applicant respectfully submits that the foregoing amendments overcome this rejection, as discussed with the Examiner during the April 18, 2002 telephone conference.

Claims 2-5 depend from independent claim 1, and are believed to be in proper condition for at least the same reasons as discussed with respect to independent claim 1. Thus, Applicant respectfully requests withdrawal of the §112, 2nd paragraph rejections and allowance of the claims.

II. Claims 1-7 are novel

Claims 1, 2, 6 and 7 stand rejected under 35 U.S.C. § 102(a) as being allegedly anticipated by related art in Applicant's specification. As discussed during the April 18, 2002 telephone conversation, the Examiner has agreed to withdraw the current §102 rejections. Applicant thanks the Examiner for indicating withdrawal of the currently standing rejections, and provides at least the following reasons for the allowability of the pending claims.

Applicant respectfully submits that the related art fails to disclose all of the claimed combination of features recited in claims 1, 2, 6 and 7, as required for an anticipation rejection under §102. Thus, Applicant respectfully requests withdrawal of the rejection, and allowance of the claims.

Applicant respectfully submits that the art of record fails to disclose all of the claimed combination of features recited in independent claims 1, 6 and 7. For example, but not by way of limitation, Applicant respectfully submits that the art of record fails to disclose (or even suggest) that said transmission authorization indicates that said transmission channel, also referred to as

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the authorization channel, and consecutive transmission channels identifiable from said authorization channel as a function of transmission needs of said network, are allocated in the up direction for the following allocation period, and wherein said predefined relationship avoids transmission of said transmission authorization during each of said consecutive transmission channels, as recited in independent claims 1, 6 and 7.

Further, Applicant respectfully submits that the art of record fails to disclose that the number of consecutive transmission channels is greater than zero, as recited in independent claims 1, 6 and 7. The Examiner asserts that the number of consecutive transmission channels in the related art is zero. Thus, Applicant respectfully submits that the claimed invention is neither anticipated nor rendered obvious by the cited related art.

Accordingly, Applicant respectfully submits that the related art can be distinguished based on at least this feature.

Claim 2 depends from independent claim 1, and is believed to be allowable for at least the same reasons as discussed above with respect to independent claim 1. Thus, Applicant respectfully requests allowance of all of the claims.

III. Claims 3-5 are allowable over the prior art

Applicant respectfully submits that dependent claims 3-5 are allowable because there are no prior art rejections, and because those claims are now in proper condition due to the amendments to independent claim 1, from which claims 3-5 depend.

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IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Twice Amended) A method of allocating data transmission channels to a mobile station[, in particular] in half-duplex mode[,] in a mobile telecommunications network [of the type using]that uses packet mode and [having]has multiple access by multiplexing transmission channels, [in which method]comprising:

allocating the transmission channels [allocated] to a mobile station, respectively in a “down” direction from the network to the mobile station, and in an “up” direction from the mobile station to the network[,];

changing [can change]an allocation of said transmission channels at each “allocation period”[,]; and

receiving a transmission authorization [received] over a transmission channel in the down direction for a given allocation period, said transmission authorization indicating that said transmission channel is allocated in the up direction for the following allocation period;

wherein [a]said transmission authorization [received over a transmission channel in the down direction for a given allocation period] indicates that [not only] said transmission channel, also referred to as the authorization channel, [but also]and consecutive transmission channels identifiable from said authorization channel [using a predefined relationship]as a function of

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transmission needs of said network, are allocated in the up direction for the following [association]allocation period, and

wherein said [predefined relationship]function of said transmission needs of said network avoids transmission of [a]said transmission authorization [for]during each of said consecutive transmission channels, and a number of said consecutive transmission channels is greater than zero.

2. (Amended) A method according to claim 1, wherein [said predefined relationship]function of said transmission needs of said network is such that a window is defined which is formed of adjacent transmission channels and in which the authorization channel is transmitted, said consecutive transmission channels being constituted by those of the transmission channels of the window which lie between the authorization channel and the last time slot in the window (including said last time slot), and which can be allocated to the mobile station for a given call.

6. (Three times Amended) A mobile station[,] for [implementing a method of] allocating data transmission channels to a mobile station[, in particular] in half-duplex mode, in a mobile telecommunications network [of the type using]that uses packet mode and [having]has multiple access by multiplexing transmission channels, [in which method]comprising:

the transmission channels allocated to [a]said mobile station, respectively in a “down” direction from the network to the mobile station, and in an “up” direction from the mobile station to the network, [can]that change at each “allocation period”[,];

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a transmission authorization received over a transmission channel in the down direction for a given allocation period indicating that said transmission channel is allocated in the up direction for the following allocation period[;],

wherein [a]said transmission authorization [received over a transmission channel in the down direction for a given allocation period] indicates that [not only] said transmission channel, also referred to as [the]an authorization channel, [but also]and consecutive transmission channels identifiable from said authorization channel [using a predefined relationship]as a function of transmission needs of said network, are allocated in the up direction for the following allocation period, said mobile station including:

a receiver that receives transmission channels over said down frames and detects transmission authorizations in the received channels;

a transmitter that transmits transmission channels over said up frames; and

a controller that controls the transmitter and the receiver, [so as] to enable said method to operate, wherein said [predefined relationship]function of said transmission needs of said network avoids transmission of a transmission authorization for each of said consecutive transmission channels, and a number of said consecutive transmission channels is greater than zero.

7. (Three times Amended) A fixed station for a telecommunications network, for [implementing a method of] allocating data transmission channels to a mobile station[, in particular] in half-duplex mode[,] in a mobile telecommunications network [of the type

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using]that uses packet mode and [having]has multiple access by multiplexing transmission channels, comprising:

a mobile station to which [in which method] the transmission channels are allocated [to a mobile station], respectively in a “down” direction from the network to the mobile station, and in an “up” direction from the mobile station to the network, [can]said transmission channels configured to change at each “allocation period”[,];

a transmission authorization received over a transmission channel in the down direction for a given allocation period indicating that said transmission channel is allocated in the up direction for the following allocation period;

wherein [a]said transmission authorization [received over a transmission channel in the down direction for a given allocation period] indicates that [not only] said transmission channel, also referred to as the authorization channel, [but also]and consecutive transmission channels identifiable from said authorization channel [using a predefined relationship]as a function of transmission needs of said network, are allocated in the up direction for the following allocation period, said fixed station including:

a transmitter that transmits data in transmission channels over said down frames, as well as transmission authorizations over some of the transmitted channels;

a receiver that receives transmission channels over said up frames; and

a controller that controls said transmitter and said receiver, so as to enable said method to operate, wherein said [predefined relationship]function of said transmission needs of said network avoids transmission of a transmission authorization for each of said consecutive

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transmission channels, and a number of said consecutive transmission channels is greater than zero.